

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, FEBRUARY 22, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: JOHN D. BRENNAN, SUPERVISOR

ALSO PRESENT: Lawrence Dloski, Township Attorney
James R. Gelios, Deputy Clerk
Jerome R. Schmeiser, Planning Consultant
James VanTiflin, Consulting Engineer
(Additional attendance on file at the Clerk's Office)

Clerk KOEHS called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Deputy Clerk GELIOS called the roll and the Board of Trustees was present except for Supervisor John Brennan.

MOTION by KRZEMINSKI seconded by BUCCI to not call the name of John Brennan for any roll call during this meeting.

MOTION carried.

MOTION by DUNN seconded by NEVERS to appoint Clerk KOEHS as Chairperson for this meeting.

MOTION carried.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items #28b and #48 were added and item #25 was tabled indefinitely.

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MOTION by KRZEMINSKI seconded by NEVERS to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

MOTION by BUCCI seconded by DUNN to approve both bill runs as presented.

MOTION carried.

APPROVAL OF PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on February 8, 2006 were reviewed and any additions, corrections or deletions were discussed.

MOTION by DUNN seconded by NEVERS to approve the minutes of the meeting of February 8, 2006 as amended.

MOTION carried.

5. Consent Agenda Items:

A. Clerks Department:

1. Bond Return; Legacy Estates Floodplain Bond
2. Bond Return; Legacy Estates Steinbrink Drain
3. Bond Return; Pinnacle Woods Landscape Bond
4. Bond Return; Fallbrooke Estates Ground Sign

B. Department Monthly Reports:

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer Department

MOTION by KRZEMINSKI seconded by MALBURG to approve all consent agenda items as presented.

MOTION carried.

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6. Public Comments

All agenda items and any non-agenda items

There is a three (3) minute time limit per speaker

Mr. Dean Ausilio spoke on behalf of the Macomb Mustangs Football League and presented an appreciation plaque to the Parks and Recreation Director.

Mr. Paul Makowski spoke regarding the rezoning of his parcel, number 08-06-026-012, and indicated that he would prefer that it be rezoned from AG to O-1 rather than from AG to R-1.

Mr. Tim Crawford spoke about his need for a Temporary Certificate of Occupancy for his insurance office at the Stratford Plaza at 23 Mile Road and Card Road. He was advised to contact the Clerk's office in the morning.

There were no additional comments regarding either agenda or non-agenda items.

AGENDA ITEMS

PUBLIC HEARING

7. **Street Lighting Contract Approval**; Becher Estates Site Condominiums, Located at the north end of Marseilles Street, north of 22 Mile Road; Marseilles Development, LLC, petitioner; Permanent Parcel No. 08-21-326-005

The public hearing was opened at 7:15 p.m. Clerk KOEHS read the cost estimate amounts from DTE. There was no public comment.

MOTION by DUNN seconded by NEVERS to close the public hearing at 7:16 p.m.

MOTION carried.

MOTION by KRZEMINSKI seconded by BUCCI to approve the Street Lighting Agreement with the Becher Estates Condominium Association and authorize the Supervisor to sign it.

MOTION carried.

8. **Street Lighting Special Assessment District**; Pine Valley Subdivision; Located at the south east corner of 26 Mile Road and Broughton Road; Northern Macomb Development, Petitioner; Permanent Parcel No. 08-04-100-034

The public hearing was opened at 7:17 p.m. Clerk KOEHS read the cost estimate amounts from DTE. There was no public comment.

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MOTION by DUNN seconded by NEVERS to close the public hearing at 7:18 p.m.

MOTION carried.

MOTION by DUNN seconded by MALBURG to approve the creation of the Special Assessment District for Street Lighting for the Pine Valley Subdivision.

**Street Lighting Pine Valley Subdivision
RESOLUTION ORDERING ESTABLISHMENT
OF STREET LIGHTING DISTRICT**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on **February 22, 2006**, at 7:00 P.M., Eastern Standard Time.

PRESENT: Michael D. Koehs, Marie E. Malburg, Janet Dunn, Dino F. Bucci, Jr., Roger Krzeminski, Nancy Nevers.

ABSENT: John D. Brennan

The following preamble and resolution were offered by Janet Dunn and supported by Marie Malburg.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF
MACOMB, MACOMB COUNTY, MICHIGAN:

1. It is hereby directed that a street light or lights shall be installed at Pine Valley Subdivision, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

2. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

3. The annual electrical service charge is Three Thousand Four Hundred Fifty Six dollars and 20/100 (\$3,456.20). Three times the annual cost is Ten Thousand Three Hundred Sixty Eight dollars and 60/100 (\$10,368.60). Total project cost is Thirty Two Thousand Two Hundred Eighty Nine dollars and 64/100 (\$32,289.64). The petitioner contribution amount is Twenty One Thousand Nine Hundred Twenty One dollars and 04/100 (\$21,921.04). The Townships at large contribution is zero dollars and 00/100 (\$0.00).

4. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

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AYES: Janet Dunn, Nancy Nevers, Roger Krzeminski, Dino Bucci, Michael D. Koehs
NAYS: None
ABSENT: John D. Brennan

RESOLUTION DECLARED ADOPTED.

MICHAEL D. KOEHS, CMC
MACOMB TOWNSHIP CLERK

SAD, Street Lighting, Pine Valley Subdivision

EXHIBIT "A"

**LEGAL DESCRIPTION OF
SPECIAL ASSESSMENT LIGHTING DISTRICT**

T3N, R13E, SEC 4; COMM AT NW COR SEC 4; TH S00°29' 56"E 639.80 FT TO POB; TH N89°45' 25"E 765.38 FT, TH N00°31' 43"W 639.80 FT, TH N89°45' 25"E 382.40 FT, TH S00°02' 32"E 1079.80 TH S89°45' 25"W 1138.85 FT, TH N00°29' 56"W 440.0 FT TO POB, 17.10 AC.

MOTION carried.

PLANNING COMMISSION

9. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road approximately ¼ mile south of
26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-
008

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed items #9 through
#18, as they are all parcels that Macomb Township is seeking to rezone to bring into
compliance with our Master Plan and to avoid spot zoning.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the rezoning from
Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel
number 08-06-200-008**

MOTION carried.

10. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ¼ mile south of 26 Mile
Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-009

**MOTION by KRZEMINSKI seconded by MALBURG to approve the rezoning from
Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel
number 08-06-200-009**

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MOTION carried.

11. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ¼ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-010.

MOTION by KRZEMINSKI seconded by MALBURG to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-200-010

MOTION carried.

12. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ¼ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-011

MOTION by KRZEMINSKI seconded by NEVERS to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-200-011

MOTION carried.

13. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ¼ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-035

MOTION by KRZEMINSKI seconded by NEVERS to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-200-035

MOTION carried.

14. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ½ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-040

MOTION by KRZEMINSKI seconded by BUCCI to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-200-400

MOTION carried.

15. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about ½ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-200-041

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MOTION by KRZEMINSKI seconded by MALBURG to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-200-041

MOTION carried.

16. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about $\frac{3}{4}$ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-426-010

MOTION by KRZEMINSKI seconded by NEVERS to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-426-010

MOTION carried.

17. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about $\frac{3}{4}$ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-426-011

MOTION by KRZEMINSKI seconded by BUCCI to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-426-011

MOTION carried.

18. **Rezoning Request; Agricultural (AG) to Residential Urban One Family (R-1);**
Located on the west side of Romeo Plank Road about $\frac{3}{4}$ mile south of 26 Mile Road. Macomb Township, Petitioner. Permanent Parcel No. 08-06-426-012

MOTION by KRZEMINSKI seconded by MALBURG to approve the rezoning from Agricultural (AG) to Residential Urban One Family (R-1) for permanent parcel number 08-06-426-012

MOTION carried.

19. **Land Division Variance Request for Landscaping ; Legacy Farms No. 1;**
Located on the west side of Fairchild Road approximately $\frac{1}{4}$ mile north of 22 Mile Road; GTR Builders, Petitioner; Permanent Parcel No. 08-24-401-004

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and indicated that the Planning Commission is recommending approval.

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Mr. Craig Duckwicz, from Anderson, Eckstein and Westrick, indicated that he thought the variance was also for sidewalks. It was explained that the Planning Commission had only reviewed and recommended the landscaping variance portion. He was advised to contact the Planning section in the morning to help clear up this issue.

MOTION by BUCCI seconded by KRZEMINSKI to grant the Land Division Variance for landscaping for Legacy Farms Subdivision #1 until June 1, 2006.

MOTION carried.

20. **Land Division Variance Request for Landscaping;** Becher Estates Site Condominiums; Located at the north end of Marseilles Drive about 2000' north of 22 Mile Road; Roy Sera, Petitioner; Permanent Parcel No. 08-21-326-005.

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and indicated his recommendation of approval.

MOTION by DUNN seconded by NEVERS to grant the Land Division Variance for landscaping for Becher Estates Site Condominiums until June 1, 2006.

MOTION carried.

OLD BUSINESS

21. **Sanitary Sewer Diversion Study Recommendation;** Parcel Numbers 08-24-276-008, 08-23-201-003 & part of 08-23-251-001; Spalding DeDecker Associates, Consulting Engineer

Mr. James VanTiflin, Engineering Consultant, reviewed this item and recommended that this be approved as a permanent sewer diversion and the developer be required to deposit Seven Thousand Dollars (\$7,000.00).

MOTION by KRZEMINSKI seconded by BUCCI to approve the permanent Sewer Diversion for permanent parcels 08-24-276-008, 08-23-201-003 and part of 08-23-251-001, as recommended by the consulting engineer, contingent upon receipt of the seven thousand dollar (\$7,000.00) deposit.

MOTION carried.

22. **Request to approve indemnification agreement** and co-location at Water & Sewer Telecommunication Tower; Located on the east side of Card Road, approximately ¼ mile north of 23 Mile; Metro PCS, Petitioner. Permanent Parcel No. 08-14-300-011

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Mr. Lawrence Dloski, Township Attorney, reviewed this item and indicated his recommendation for approval contingent upon the site plan being approved.

MOTION by DUNN seconded by MALBURG to approve the indemnification agreement and the co-location of Metro PCS at the Water and Sewer Building site, and to authorize the Supervisor to sign the agreement, contingent upon the site plan approval.

MOTION carried.

NEW BUSINESS

23. Community Development Block Grant Allocations – Fiscal Year 2006

Trustee DUNN reviewed this item and recommended that the monies be spent on organizations that operate within the township.

MOTION by DUNN seconded by KRZEMINSKI to receive and file the grant application from Macomb Family Services.

MOTION by DUNN seconded by KRZEMINSKI to allocate the Fiscal Year 2006 Community Development Block Grant service monies as follows:

Provider	Requested	Granted
Macomb Twp. Senior Activities	5,000.00	5,000.00
MCCSA-Chore Services	2,000.00	2,000.00
St. Vincent DePaul Society	10,000.00	3,500.00
Care House	3,000.00	00.00
MCREST	3,000.00	00.00
Samaritan House	3,000.00	00.00
Macomb Homeless Coalition	3,000.00	00.00
Macomb Family Services	3,000.00	00.00
Downriver Community Services	3,000.00	00.00
Solid Ground	3,000.00	00.00

MOTION by DUNN seconded by BUCCI to allocate the Fiscal Year 2006 Community Development Block Grant Brick & Mortar monies as follows:

Provider	Requested	Granted
Macomb Twp.	59,500.00	59,500.00
Solid Ground	2,000.00	00.00
Save Our Depot, Inc.	10,000.00	00.00
Ray Twp. Historical Society	15,000.00	00.00

MOTION carried.

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24. **Preliminary Review, Macomb Township Recreation Center – Phase II;**
Located at the northwest corner of Macomb Street and Broughton Road;
Permanent Parcel No. 08-09-200-016

Mr. Salvatore DiCaro, Parks and Recreation Director, reviewed this item with the consulting engineers and recommended his approval. This matter is recommended for approval by the Town Center Committee, who has also reviewed the plans.

MOTION by KRZEMINSKI seconded by BUCCI to approve the Preliminary Review of the Macomb Township Recreation Center – Phase II.

MOTION carried.

25. Single Waste Hauler – Request For Proposal

This matter was tabled indefinitely.

26. New Haven Schools request for Utilization Agreement with Ray Township.

Dr. James Avery, Superintendent for Hew Haven Schools, reviewed this item in some detail, and asked that Macomb Township initiate a review process relating to this project.

MOTION by KRZEMINSKI seconded by NEVERS to authorize the Township Engineer to review the proposal from New Haven School district and make a recommendation to the Board.

MOTION carried.

27. **Request approval for use of Temporary Trailer;** Westminister Subdivision # 1;
Located north of 22 Mile Road, east of Hayes; Pulte Land Company, Petitioner;
Permanent Parcel No. 08-19-200-012

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and indicated that the Planning Commission has recommended approval.

MOTION by DUNN seconded by MALBURG to approve the use of a temporary trailer at Westminister Subdivision #1, permanent parcel number 08-19-200-012.

MOTION carried.

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28. **Liquor License Pre-Qualification Application Review**; 47218 Hayes LLC, Petitioner; Located on Hayes Road just north of 21 Mile Road; Permanent Parcel No. 08-30-354-024

Mr. Palazollo, attorney for the petitioners, reviewed this item and asked for the Board to find the applicant meritorious, and allow them to proceed to the formal application phase.

MOTION by DUNN to deny this request. Motion failed for lack of support.

MOTION by BUCCI seconded by KRZEMINSKI to approve the pre-qualification application of the 47218 Hayes LLC, and authorize them to proceed to the formal application process.

MOTION carried.

- 28a. **Request for Model Permit**; Westminister Subdivision # 1, Lot 1; Located north of 22 Mile Road east of Hayes Road; Pulte Land Company, Petitioner.

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and indicated that there were no department head objections.

MOTION by DUNN seconded by NEVERS to approve the Model Permit request for Westminister Subdivision # 1, Lot 1 with the standard conditions and bonds.

MOTION carried.

- 28b. Request for a Temporary Certificate of Occupancy; Summit Urgent Care, Petitioner; Located at the Stratford Plaza on the southeast corner of 23 Mile Road and Card Road.

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and indicated there were no department reviews which did not recommend this for approval.

MOTION by KRZEMINSKI seconded by BUCCI to approve the Temporary Certificate of Occupancy until June 1, 2006.

MOTION carried.

FIRE DEPARTMENT

29. Request to purchase two Pumps

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Captain Richard Koss, Macomb Township Fire Department, reviewed this item and recommend the purchase of the Sutphen Pumpers in order to keep the apparatus standard at all four stations.

MOTION by KRZEMINSKI seconded by DUNN to authorize the purchase of two pumpers as requested, for a total cost of seven hundred thirty thousand eight hundred and ninety dollars (\$730,890.00).

MOTION carried.

30. Request to purchase two Utility Vehicles and related equipment

Captain David Myny, Macomb Township Fire Department, reviewed this item and recommend the purchase.

MOTION by DUNN seconded by NEVERS to authorize the purchase of two utility vehicles and their equipment as requested for a total cost of sixty four thousand one hundred forty seven dollars and forty cents (\$64,147.40).

MOTION carried.

HUMAN RESOURCE DEPARTMENT

31. **Request to Initiate Recruitment Process;** To hire ten (10) Paid-on-call Firefighters

Mr. John Brogowicz, Human Resource Director, reviewed this item and recommended approval.

MOTION by KRZEMINSKI seconded by BUCCI to authorize the Human Resource Director to initiate the recruitment process for ten (10) additional Paid On Call Fire Fighters.

MOTION carried.

32. **Request to return from a Personal Leave of Absence**

Mr. John Brogowicz, Human Resource Director, reviewed this item and recommended granting the return from the leave of absence for David Nowak.

MOTION by KRZEMINSKI seconded by NEVERS to authorize the return to work of David Nowak from a personal leave of absence.

MOTION carried.

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WATER AND SEWER DEPARTMENT

33. **Request to approve Pay Certificate # 7, 23 Mile Road Sanitary Sewer, (North Avenue, west 1,800 ft.), Contract # 1; MA03-015; L. D'Agostini & Sons, Inc., Petitioner.**

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the certificate be paid.

MOTION by BUCCI seconded by KRZEMINSKI to approve the payment for Pay Certificate No. 7, Sanitary Sewer, MA03-015.

MOTION carried.

34. **Request to approve Pay Certificate # 1, 23 Mile Road Sanitary Sewer and Water Main Replacement; MA02-007 and MA02-022.**

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the certificate be paid.

MOTION by KRZEMINSKI seconded by MALBURG to approve the payment for Pay Certificate No. 1, 23 Mile Road Sanitary Sewer and Water Main Replacement Project, MA02-007 and MA02-022.

MOTION carried.

35. **Request to approve Pay Certificate #2, (Final), Crittenden Drain Clean-out; Giannetti Contracting Corp., Petitioner; MA01-014**

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the certificate be paid.

MOTION by KRZEMINSKI seconded by DUNN to approve the payment of Pay Certificate No. 2 (Final) for the Crittenden Drain Clean-Out project.

MOTION carried.

36. **Request to approve Water Main Easement for Macomb Corners Park; Located west of Broughton Road on the north side of 25 Mile Road.**

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the easement be approved.

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MOTION by DUNN seconded by BUCCI to approve the Water Main Easement request for Macomb Corners Park.

MOTION carried.

37. **Request to approve Water Main Easement** for the Macomb Township Recreation Center; Located on Macomb Street west of Broughton Road.

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the easement be approved.

MOTION by KRZEMINSKI seconded by NEVERS to approve the Water Main Easement request for the Macomb Township Recreation Center.

MOTION carried.

38. **Request to Vacate a Water Main Easement** at Becher Estates Site Condominiums; Located at the north end of Marseilles Street, north of 22 Mile Road.

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the easement be vacated permanently.

MOTION by DUNN seconded by BUCCI to approve the request to permanently vacate a Water Main Easement at Becher Estates Site Condominiums.

MOTION carried.

39. **Request Authorization to Proceed** with the 25 Mile Road and Hayes Road Water Main Project.

Mr. James VanTiflin, Township Engineering consultant, reviewed this item and recommended that the Board authorize this project to proceed.

MOTION by DUNN seconded by MALBURG to authorize the Water and Sewer Department to proceed with the 25 Mile and Hayes Road Water Main project.

MOTION carried.

BOARD COMMENTS

40. Supervisor Comments:

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41. Clerk Comments:

A. Authorize Clerk to Sign QVF Equipment Grant Agreement

Clerk KOEHS reviewed this item which allows Macomb Township to receive election computer equipment from the State, as discussed in a previous telephone survey. The phone survey was conducted because the deadline for an affirmative response was at 5:00 p.m. today, February 22, 2006.

MOTION by BUCCI seconded by KRZEMINSKI to confirm the phone survey authorizing the Clerk to sign the agreement with the State of Michigan for Qualified Voter equipment.
MOTION carried.

42. Treasurer Comments: NONE

43. Trustees Comments: NONE

EXECUTIVE SESSION

44. Tiamo Consent Judgement – Informational discussion only.

45. Macomb Development Land Division

MOTION by KRZEMINSKI seconded by BUCCI to authorize the attorney to sign the consent judgment.

MOTION carried.

46. Mauro M-59 Land Division

MOTION by KRZEMINSKI seconded by DUNN to authorize the attorney to continue the negotiations regarding this proposed consent judgment.

MOTION carried.

47. Proposed Settlement for Spier v. Macomb Township

MOTION by KRZEMINSKI seconded by MALBURG to authorize the attorney to accept the settlement proposal as offered.

MOTION carried.

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48. **Request to approve and Easement Acquisition;** 23 Mile Road Water Main Project; Located on the north side of 23 Mile Road between Romeo Plank Road and Garfield Road.

MOTION by KRZEMINSKI seconded by NEVERS to authorize the attorney to accept the acquisition proposal as offered, with the understanding that if the other party does not agree, the attorney is authorized to initiate condemnation proceedings against these properties.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by NEVERS to adjourn the meeting at 9:29 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk